

AN ACT

ENTITLED, An Act to revise the procedure for updating the voter registration file and to limit the use of the county voter registration file.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 12-4-18 be amended to read as follows:

12-4-18. The Department of Health, in conjunction with preparation of abstracts of vital statistics records made pursuant to § 34-25-46, shall, on a monthly basis, prepare an abstract for the county auditor, listing names and addresses of voters who have been residents of that county and have died.

The register of deeds shall deliver a list of the names and addresses of all persons who have died and whose burial permits were filed in the office during the previous month to the county auditor of the decedent's county of residency by the tenth day of each month.

The clerk of courts shall, within fifteen days after the close of each month, prepare and deliver to the auditor an abstract from the records of the names of persons declared mentally incompetent, convicted, and sentenced to the adult state penitentiary system for a felony, or for whom an application or petition for probate is filed, in the preceding month. The clerk of courts shall give notice of all felony sentences to the adult state penitentiary system including a suspended execution of a sentence. The notice shall be sent to the county auditor of the county in which the person declared incompetent or convicted resides. The county auditor shall remove from the master registration list the names of persons identified in accordance with the information provided pursuant to this section and names of those sentenced to imprisonment in the federal penitentiary system and may remove names published in an obituary.

Section 2. That § 12-4-19 be amended to read as follows:

12-4-19. Any voter on the active registration list who has failed to vote, has not updated the voter's registration information, and has not replied to a confirmation mailing at least once during the

last preceding four consecutive years shall be sent a nonforwardable return-if-undeliverable address verification request. If the request is undeliverable then a confirmation mailing prescribed by the State Board of Elections shall be sent. If a county auditor has determined through a national change of address licensee of the United States Postal Service that the address of a voter who is to be sent an address verification request has changed, that mailing may be omitted. This process shall be performed by each county auditor between January first and November fifteenth of each odd-numbered year.

Section 3. That § 12-4-41 be amended to read as follows:

12-4-41. No information obtained from the statewide voter registration file or any county voter registration file may be used or sold for any commercial purpose. For the purpose of this section, the term, commercial purpose, does not include campaign or political polling activities. Any violation of this section is a Class 2 misdemeanor.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1006

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1006
File No. _____
Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State